

EXHIBIT 1

Plaintiffs' More Definite Statement as to Defendants The Islamic Republic of Iran, Ayatollah Ali Hoseini-Khamenei, The Iranian Ministry of Information and Security, The Islamic Revolutionary Guard Corps, The Iranian Ministry of Petroleum, The Iranian Ministry of Economic Affairs and Finance, The Iranian Ministry of Commerce and The Iranian Ministry of Defense and Armed Forces Logistics

Plaintiffs hereby incorporate all allegations and counts contained in the Third Amended Complaint in Burnett, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC), 03 CV 5738 & 03 CV 9849.

The Islamic Republic of Iran

1. Defendant, the Islamic Republic of Iran (hereinafter referred to as "Iran"), is a foreign state within the meaning of 28 U.S.C. § 1391(f). Iran maintains an Interest Section within the United States at the Embassy of Pakistan at 2204 Wisconsin Avenue, N.W., Washington, D.C. 20007.
2. Iran has for many years been designated as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C. App. §2405(j), and the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b). Iran has also been found to be liable as a state sponsor of international terrorism under 28 U.S.C. § 1605(a)(7), especially in connection with acts perpetrated by its state sponsored paramilitary terrorist organization known as "Hizballah" or "Hezbollah".
3. President George W. Bush stated in his State of the Union address on January 29, 2002, that Iran was one of three countries that, along with their terrorist allies, "constitute an axis of evil, arming to threaten the peace of the world."
4. Since the time Iran was designated by the Department of State as a state sponsor of terrorism, a large body of evidence has been collected and analyzed which shows conclusively that Iran views terrorism as an instrument of state policy, like diplomacy or military power - a tool to be used to further political objectives. The evidence shows that Iran has, over the years, directly carried out assassinations, bombings and other terrorist acts against its enemies. It has also provided direct and indirect support to international terrorist groups in the form of money, training, sanctuary, documentation, intelligence, weapons and other types of assistance, including to defendant Al Qaeda.

5. To carry out its policy of terrorism and support for terrorist groups, Iran has created and used government organizations including intelligence ministries, the military, special groups and various types of covert entities which are part of the government and are directly answerable to, and receive instructions from, the regime in power.

The Agencies and Instrumentalities of Iran

6. As described above, Iran acted through its officials, officers, agents, employees, agencies and instrumentalities in providing material support and resources to defendants Al Qaeda, Bin Laden and other defendants. The support provided by Iran to Bin Laden and Al Qaeda assisted in and contributed to the preparation and execution of the plans that culminated in the Terrorist Hijacked Flights and the extrajudicial killing of the Decedents.

7. The following defendants, collectively referred to as the “Iranian Instrumentalities,” were among the officials, officers, agents, employees, agencies and instrumentalities through which Iran caused, supported and contributed to the terrorist acts that resulted in the death of the Decedents:

(a) The Supreme Leader, Ayatollah Ali Hoseini-Khamenei (“Khamenei”), the undisputed head of the Iranian government. Khamenei has been found to be an instrumentality of Iran for purposes of liability and damages under the Foreign Sovereign Immunities Act. See, e.g., *Flatow v. Islamic Republic of Iran*, 999 F.Supp. 1 (D.D.C. 1998). As head of the Iranian state, Khamenei is responsible for formulating and executing the nation’s policy of supporting terrorism and terrorist groups such as Al Qaeda. As a government agent, Khamenei maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007.

(b) The Iranian Ministry of Information and Security (the “MOIS”), the Iranian government organization responsible for coordinating Iran’s terrorist activities. The MOIS has been found to be an instrumentality of Iran for purposes of liability and damages under the Foreign Sovereign Immunities Act. See, e.g., *Sutherland v. Islamic Republic of Iran*, 151 F. Supp.2d 27 (D.D.C. 2001). With a large budget and extensive organization, the MOIS is one of the most powerful ministries in the Iranian government. The ministry has traditionally operated under the guidance of the Velayat –e Faqih apparatus of the Supreme Leader. The MOIS is responsible for intelligence collection used to support terrorist operations and for liaison activities with supported terrorist groups such as Al Qaeda.

(c) The Islamic Revolutionary Guard Corps. (the “IRGC”), including its operatives, the Qods Force, the Committee on Foreign Intelligence Abroad and Committee on Implementation of Actions Abroad. The IRGC and its operatives are responsible for extraterritorial operations, including terrorist operations. A primary focus of the Qods Force is training Islamic terrorist groups. It is also responsible for gathering information required for targeting and attack planning. As a government agency, the IRGC maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007.

(e) The Iranian Ministry of Petroleum (the “MOP”), including its affiliated entities, the National Iranian Gas Company, National Iranian Petrochemical Company and the Iranian Offshore Oil Company. The MOP, as a government agency, maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007. The MOP, in conjunction with and through these affiliated entities, generates substantial money that is used by the Iranian government to fund its terrorist activities, including its support of Al Qaeda.

(f) Iranian Ministry of Economic Affairs and Finance (“IMEAF”), an agency of the Iranian government. The IMEAF, as a government agency, maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007. The IMEAF funnels funds to the Iranian government with knowledge that the Iranian government uses those funds to support its own terrorist activities as well as those of Al Qaeda.

(g) Iranian Ministry of Commerce (“IMOC”), an agency of the Iranian government. The IMOC, as a government agency, maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007. The IMOC funnels funds to the Iranian government with knowledge that the Iranian government uses those funds to support its own terrorist activities as well as those of Al Qaeda.

(h) Iranian Ministry of Defense and Armed Forces Logistics (“IMDAFL”), an agency of the Iranian government. The IMDAFL, as a government agency, maintains a presence in the United States through the Permanent Representative of the Islamic State of Iran to the United Nations, 360 Lexington Avenue, 11th

Floor, New York, NY 10017, or through the Iranian Interest Section c/o the Embassy of Pakistan, 2204 Wisconsin Avenue, NW, Washington, DC 20007. The IMDAFL funnels funds to the Iranian government with knowledge that the Iranian government uses those funds to support its own terrorist activities as well as those of Al Qaeda.

8. Iran has used the Iranian instrumentalities to sponsor terrorist activities against the United States and its citizens. A major component of Iran's policy of terrorism is its support of Osama Bin Laden and the Al Qaeda network. The background of that support is set forth below.

Background of Iranian Support for Al Qaeda

9. On October 31, 1991, Iran hosted the International Conference for the Support of the Muslim Palestinian People's Revolution, which was attended by all radical Palestinian groups, both Islamic and secular. The conference established a permanent secretariat, funded by Iran, to coordinate pro-intifada activities. In doing so, Iran tightened its ties to the radical groups Palestinian HAMAS and Islamic Jihad.

10. According to findings by the National Commission on Terrorist Attacks Upon the United States (the "9/11 Commission"), "[i]n late 1991 or 1992, discussions in Sudan between al Qaeda and Iranian operatives led to an informal agreement to cooperate in providing support—even if only training—for actions carried out primarily against Israel and the United States. Not long afterward, senior al Qaeda operatives and trainers traveled to Iran to receive training in explosives."

11. In furtherance of this agreement, at various times in or about 1992 and 1996, Mamdouh Mahmoud Salim, a member of the Majlis al Shura (or consultation council) of Al Qaeda met with an Iranian religious official in Khartoum, Sudan as part of an overall effort to arrange a tripartite pact between Al Qaeda, the National Islamic Front of Sudan, and the government of Iran to work together against the United States, Israel and other western countries.

12. In or about 1996, Iran reorganized its intelligence system by establishing Supreme Council for Intelligence Affairs directly under President Ali Akhbar Hashemi- Rafsanjani.

13. As a result of the reorganization in 1996, Iran established two main areas to receive a large allocation of funds and assets: internal security, and the export of the Islamic Revolution, primarily as foreign intelligence and terrorism sponsorship.

14. A central aspect of this reform was placing Dr. Mahdi Chamran Savehi as Chief of External Intelligence, in charge of the entire network of international terrorism, including the al-Quds forces.

15. In early June of 1996, Iran organized a pan-Islamist summit which had a primary objective of establishing an international coordination committee to oversee anticipated escalation in hostilities. Ayatollah Ahmad Jannati, a close associate of Ayatollah Khomeini, emerged as the official spokesperson for the working group. The meeting was organized jointly by the Supreme Council for Intelligence Affairs and IIRCG (Iranian Revolutionary Guard Corps) high command. Attending the working group were the following: Ramadan Shallah (head of the Palestine Islamic Jihad); Ahmad Salah, a.k.a. Mamdouh Mahmoud Salim (Egyptian Islamic Jihad); Imad Mughniyah (Hezbollah); Muhammad Ali Ahmad (a representative of Al Qaeda and Osama Bin Laden); Ahmad Jibril (head of the Popular Front for the Liberation of Palestine-General Command); Imad al-Alami and Mustafa al-Liddawi (HAMAS); and Abdullah Ocalan (Kurdish People Party). The summit participants agreed on the unification of their financial system and training.

16. In or about July 1996, Osama Bin Laden met with an Iranian intelligence official in Afghanistan.

17. In early October 1996, Osama Bin Laden visited Tehran for consultations. One of the issues addressed was the unification of various Egyptian terrorist organizations. Iranian intelligence Minister Ali Fallahian chaired the meeting with representatives from the Iranian Interior Ministry, Islamic Guidance Ministry, and Foreign Ministry. Among the Egyptians attending were the Tehran based aide of defendant Ayman al Zawahiri, Kamal Ujayzah, and Mustafa Hamzah. The Iranians discussed specific long-term operational plans and explained to the Egyptian attendees that the degree of Iran's support depended on the extent of their unity. The Egyptian attendees agreed to form a unified command with Osama Bin Laden for operational purposes.

18. In or about mid-September 1997, the Iranian leadership met to discuss the new course of the anti-American struggle. The participants included Iran's supreme and spiritual leader Ayatollah Ali Khamenei. Also present were newly-elected president Mohammad Khatami, former president Ali Akbar Hashemi-Rafsanjani, and the minister of intelligence, Qurban Ali Dari Najafabadi. Other participants in this conference were: General Rahim Safavi (the

Commander-in-Chief of the IRGC); General Mohsen Rezai (former Commander-in-Chief of IRGC, now responsible for reorganizing the Iranian security services and their networks); Ali Fallahian (former intelligence minister); Mohammed Mohammadi Rayshahri (former intelligence minister, present as Khamenei's special adviser on intelligence affairs); Hossein Sheikh-ol-Islam (Iran's former deputy foreign minister and once again director on the Office of Liberation Movements); Ali Akbar Mohtashemi; General Diya Sayfi (the commander of the IRGC forces in Lebanon); members of the Supreme National Security Council; and senior IRGC and intelligence officials.

19. In or about September 20-23, 1997, Iranian intelligence organized a major summit of terrorist leaders from all over the world. Among the participants were: Imad Mughniyah and Abdul-Hadi Hammadi (Hezbollah); Ayman al-Zawahiri (Egyptian Islamic Jihad); Ahmad Jibril (chief of the Popular Front for the Liberation of Palestine-General Command PFLP-GC); Osama Abu-Hamden and Imad al-Alami (HAMAS); Ramadan al-Shallah (chief of Palestinian Islamic Jihad); and three commanders representing branches of Hezbollah in the Persian Gulf States.

20. Participants at the summit examined the Islamists' ability to escalate terrorism against the United States and the West. Several senior Iranian officials addressed the summit and ordered the terrorist leaders to be ready to launch an unprecedented international terrorist campaign.

21. In or about late September 1997, the Iranian leadership met again to discuss the course of the forthcoming terrorism offensive in light of the resolutions and findings of the recent international terrorist summit.

22. In or about early October 1997, major preparations began in Afghanistan and Pakistan for an escalation of Islamist terrorism throughout the world.

23. Osama Bin Laden held a war council in late 1997 in Kandahar with senior Islamist commanders from all over the world to discuss forthcoming operations to undermine the American presence and influence in the Middle East. Ayman al-Zawahiri participated in this conference. Conference participants resolved to concentrate on hitting American targets wherever they could be found.

24. In or about late October 1997, the Vanguard of Conquest and the Egyptian Islamic Jihad group, both under the command of Ayman al-Zawahiri, issued a major communique that declared the forthcoming jihad by saying:

The Islamic Jihad against America's world dominance, the

international influence of the Jews, and the U.S. occupation of Muslim lands will continue. ... The United States realizes that its real enemy, as it has declared many times, is Islamic extremism, by which it means the Islamic Jihad, the Jihad of the entire Muslim Nation against the world dominance of America, the international influence of the Jews, and the U.S. occupation of Muslim lands. The Islamic Jihad is against the world dominance of America, the international influence of the Jews, and the U.S. occupation of Muslim lands. The Islamic Jihad is against the theft of the Muslim Nation's riches, this disgusting robbery, the like of which has not been witnessed in history. ... Yes, America's enemy is Islamic extremism, meaning the Islamic Jihad against America's preeminence ... the Islamic Jihad which stands against Jewish expansion.

25. The United States Department of State described Iran as “the most active sponsor of state terrorism in 1997,” with its agents held responsible for at least thirteen assassinations, mainly against members of the Kurdish Democratic Party of Iran and the Mujahedin-e Khalq organization, both based in Iraqi Kurdistan.

26. In the second half of November 1997, Ayatollah Ali Khamenei convened a meeting with General Rahim Safavi and Ahmad Vahidi, the former commander of al-Quds Forces, to discuss the establishment of a new elite terrorist force to carry out spectacular, but deniable, terrorist strikes against the United States and the West.

27. Al Qaeda telephone bills of international calls between 1996 and 1998 were analyzed by United States investigators, showing that nearly 10% of the outgoing calls from Afghanistan went to Iran.

28. The 9/11 Commission found that “Iran made a concerted effort to strengthen relations with al Qaeda after the October 2000 attack on the USS *Cole*, but was rebuffed because Bin Ladin did not want to alienate his supporters in Saudi Arabia.” However, Iranian officials still cooperated with al Qaeda, allowing its members to pass through Iran without having their passports stamped. In addition, evidence collected by the 9/11 Commission suggested that eight to ten of the 9/11 hijackers traveled into or out of Iran between October 2000 and February 2001. Specifically, the 9/11 Commission stated:

Also in October 2000, two future muscle hijackers, Mohand al Shehri and Hamza al Ghamdi, flew from Iran to Kuwait. In November, Ahmed al Ghamdi apparently flew to Beirut, traveling—perhaps by coincidence—on

the same flight as a senior Hezbollah operative. Also in November, Salem al Hazmi apparently flew from Saudi Arabia to Beirut.

In mid-November, we believe, three of the future muscle hijackers, Wail al Shehri, Waleed al Shehri, and Ahmed al Nami, all of whom had obtained their U.S. visas in late October, traveled in a group from Saudi Arabia to Beirut and then onward to Iran. An associate of a senior Hezbollah operative was on the same flight that took the future hijackers to Iran. Hezbollah officials in Beirut and Iran were expecting the arrival of a group during the same time period. The travel of this group was important enough to merit the attention of senior figures in Hezbollah.

Later in November, two future muscle hijackers, Satam al Suqami and Majed Moqed, flew into Iran from Bahrain. In February 2001, Khalid al Mihdhar may have taken a flight from Syria to Iran, and then traveled further within Iran to a point near the Afghan border.

[Khalid Sheikh Mohammed and Ramzi Binalshibh] have confirmed that several of the 9/11 hijackers (at least eight, according to Binalshibh) transited Iran on their way to or from Afghanistan, taking advantage of the Iranian practice of not stamping Saudi passports.

29. According to the State Department's Patterns of Global Terrorism 2000, Iran remained the most active state sponsor of terrorism in 2000. It provided increasing support to numerous terrorist groups, including the Lebanese Hezbollah, HAMAS, and the Palestine Islamic Jihad (PIJ), which seek to undermine the Middle East peace negotiations through the use of terrorism.

30. The State Department's Patterns of Global Terrorism 2000 also stated that Iran's "Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) continued to be involved in the planning and execution of terrorist acts and continued to support a variety of groups that use terrorism to pursue their goals."

31. Secretary of Defense Donald Rumsfeld stated on February 3, 2002, "We have any number of reports that Iran has been permissive and allowed transit through their country of Al Qaeda." On February 4, 2002, Rumsfeld elaborated: "We do have a good deal of information to the effect that Al Qaeda and the Taliban have taken refuge there and others have used it as a transit point. We have no evidence at all that Iran has tried to stop them, that Iran has tried to turn them over to us or some other country or to incarcerate these people, the Al Qaeda, a terrorist network."

32. On March 10, 2002, National Security Advisor Condoleezza Rice stated on Meet the Press, that eleven Iranian nationals had been captured during Operation Anaconda. Those captured were believed to be members of Iran's al-Quds forces.

33. The following remarks were made in a background briefing by a United States Department of Defense official on February 19, 2002:

Question: It's been said that al-Qaida moved into Iran, across the border. Can you shed any light into the numbers and what kind of support they're getting from the Iranian government?

Answer: I can't get into numbers. Numbers isn't a good thing anyway, because they're never accurate. What I can say is – and I think the Secretary of Defense said – is, we believe the Iranians did help al-Qaida members into – from Afghanistan to Iran. I think I can stick with that.

Question: Iranian – you mean Iranian government?

Answer: Yeah.

Question: At what level?

Answer: ... I can't get into that right now.

Question: You mean their intelligence, their Revolutionary Guard ...

Answer: Well, there are certain entities that are involved in the Iranian support for terrorism. You know, there's certain entities within the Iranian government – the Minister of Intelligence and Security, the Islamic Revolutionary Guard Corps, Qods Force – those are the primary entities that have historically been involved in support for terrorist groups across the board. So those would be the entities that would, you know, have some role in that type of activity.

34. Iran continues to be an active supporter of Al Qaeda. For example, Iranian security forces have given safehaven and protection in Tehran to Abu Musaab Zarqawi, a senior Al Qaeda leader who fled the western Afghan city of Herat after the United States military campaign began.